

Claims with markings to show changes.

1. (Amended) A curable, powder-based coating composition for coating a substrate, having a first color effect, with a film layer wherein application of the film layer to the substrate produces a second color effect different from the first color effect of the substrate, said powder-based coating composition comprising:

(A) a powder-based binder comprising the reaction product of;

(I) a resin having a functional group, and

(II) a cross-linking agent reactive with said functional group of said resin; and

(B) pigment consisting essentially of a color effect-providing pigment comprising;

(I) a pigment substrate having first and second substantially parallel and planar surfaces, and

(II) an inorganic coating disposed on at least one of said first and second substantially parallel and planar surfaces of said pigment substrate(B)(I), said inorganic coating (B)(II) having an index of refraction of 1.8 or less;

wherein said inorganic coating (B)(II) and said pigment substrate (B)(I) of said color effect-providing pigment (B) interact with the first color effect of the substrate to produce the second color effect upon application of the film layer of the powder-based coating composition to the substrate.

(II) a cross-linking agent reactive with said functional group of said resin; and

(B) pigment consisting essentially of a color effect-providing pigment comprising;

(I) a pigment substrate having first and second substantially parallel and planar surfaces, and

(II) an inorganic coating disposed on at least one of said first and second substantially parallel and planar surfaces of said pigment substrate (B)(I), said inorganic coating (B)(II) having an index of refraction of 1.8 or less;

wherein said inorganic coating (B)(II) and said pigment substrate (B)(I) of said color effect-providing pigment (B) interact with the first color effect of the substrate to produce the second color effect upon application of the film layer of the powder-based coating composition to the substrate.

#### Remarks

Upon entry of the present amendment claims 1-61 remain in the application.

Claims 1-61 were rejected under 35 U.S.C. 103(a) as being unpatentable over WO95/17475 to Johnson in combination with US Patent 5,601,78 to Kranig et al.. Johnson was cited for disclosing the instantly claimed color effect providing pigments. The office action stated that the inorganic coating would necessarily have the claimed index of refraction because the coatings are the same as the instant claims. The office action further stated that even though Johnson does not disclose the pigment in powder coatings, it would have been obvious to use the pigments in powder coatings because Johnson describes the effects of the instantly claimed pigments and the same effects would have been expected in a coating film obtained whether used in a powder,